

Notice of Allowability

Application No.

10/719,474

Examiner

Naresh Vig

Applicant(s)

GRAFF, RICHARD A.

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed 28 February 2007.
2. ☒ The allowed claim(s) is/are 1,3-5 and 7-8.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



Naresh Vig
Examiner
Art Unit: 3629

DETAILED ACTION

This is in reference to response received 28 February 2007.

Drawings

The drawings have been approved by the examiner.

Reason For Allowance

The following is an examiner's statement of reasons for allowance:

Applicant's invention is to protect the financier and simultaneously increase the remainder interest holder's deterrence against unnecessary lease defaults at the end of the lease term, applicant's invention provides the financier with a terminal rent recovery period, by scheduling the lease payments so that the financing is essentially repaid at least several months before the end of the term of the residential estate for years interest. A terminal rent recovery period is a period at the end of the lease on the residential estate for years interest during which the rent is essentially free, i.e., the sum of the (undiscounted) net rent payments during the terminal rent recovery period is zero or very close to zero, and in any case is no more than one-half the average (undiscounted) net rent payment over the portion of the lease term that precedes the terminal rent recovery period. The terminal rent recovery period is not the security deposit which paid at the time of signing the lease. By using the data representing the

residential property provided by a user, applicant's invention generates separate market-based valuation of each of a plurality of components including a residential estate for years interest (Mortgage Balance) and a residential remainder interest (Owner's Equity) are generated wherein at least one of the valuations reflects that there is a terminal rent recovery period for the residential estate for years interest.

Market based valuation is generated for components decomposed into components with separate market-based valuation of each of a plurality of components representing residential estate for years interest and residential remainder interest. Generated market based valuation for each of the plurality of components are illustrated to the user.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was done following a telephone interview with Peter K. Trzyna (Reg. No. 32,601) on 24 May 2007.

After the examiner's amendment, amended claims will read as follows.

Claims 9 – 47 are cancelled:

Regarding Apparatus Claim 1 and Method Claim 5

Prior art Gross US Patent 5,802,501 teaches:

converting, at an input device, input information corresponding to components temporally decomposed from residential property into input signals;

communicating the input signals to a computer;

computing, with the computer, to process the input signals to generate modified signals representing a separate market-based valuation of each of the components, the components including a residential estate for years interest and a residential remainder interest;

producing, at an output device in communication with the computer, output including the respective valuation of each of the components,

Prior art Gross US Patent 5,802,501 does not teach:

at least one of the valuations reflects that there is a terminal rent recovery period for the residential estate for Years interest.

Prior art Hammour et al. US Publication 2003/0233324 teaches:

A **Sharia** compliant financing arrangement wherein consumer makes monthly payments to repay the amount funded through which the consumer increases his or her real property or Co-Ownership interest in the residence (i.e. a residential remainder interest), while correspondingly decreasing the interest held by the co-owner (residential estate for years interest).

Computing separate valuation of each of the components, the components including a residential estate for years interest and a residential remainder interest.

Prior art Hammour et al. US Publication 2003/0233324 does not teach:

computing separate market-based valuation of each of the components, the components including a residential estate for years interest and a residential remainder interest at least one of the valuations reflects that there is a terminal rent recovery period for the residential estate for Years interest.

Prior art, David Harrison article Shariah Financing Eases Muslims' Minds teaches:

The customer and Shariah-compliant financier buy a house together but the customer then buys out Shariah-compliant financier's share over an agreed-upon number of years. While there is no interest attached to the payments, the customer pays a "markup" which reflects the increasing market value of the house. In that way, the company turns a profit and the homeowners is safe in the knowledge that he or she is not violating a central tenet of the faith. Customer then buys out Shariah-compliant financier 's share over an agreed-upon number of years.

computing residential estate for years interest and a residential remainder interest.

Prior art, David Harrison article Shariah Financing Eases Muslims' Minds does not teach:

computing separate market-based valuation of each of the components, the components including a residential estate for years interest and a residential remainder

interest at least one of the valuations reflects that there is a terminal rent recovery period for the residential estate for Years interest.

Prior art Igarashi Japanese Document JP 2003141355 A teaches:

computing residential estate for years interest and capability for calculating a residential remainder interest

Prior art Igarashi Japanese Document JP 2003141355 A does not teach:

computing separate market-based valuation of each of the components, the components including a residential estate for years interest and a residential remainder interest at least one of the valuations reflects that there is a terminal rent recovery period for the residential estate for Years interest.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is (571) 272-6810. The examiner can normally be reached on Mon-Thu 7:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Naresh Vig", with a stylized flourish at the end.

Naresh Vig
Examiner
Art Unit 3629

May 28, 2007